

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**Case No. 22-CR-20104-JEM(s)(s)(s)(s)**

**UNITED STATES OF AMERICA**

**vs.**

**FREDERICK JOSEPH BERGMANN, JR.,**

**Defendant.**

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**STIPULATED FACTUAL PROFFER IN SUPPORT OF PLEA**

If this matter were to proceed to trial, the Government would prove the following facts beyond a reasonable doubt. The Parties agree that these facts, which do not include all facts known to the Government and the Defendant, **FREDERICK JOSEPH BERGMANN, JR.**, are sufficient to prove the guilt of the Defendant as to counts four and six of the Fourth Superseding Indictment:

Starting in or around the Spring of 2021, and continuing through on or about July 7, 2021, BERGMANN conspired to knowingly begin and set on foot, and provide and prepare a means for, and furnish the money for, and take part in, a military expedition and enterprise to be carried on from the United States against the territory and dominion of a foreign state, namely the country of Haiti, with which the United States was at peace. BERGMANN attended meetings in the Southern District of Florida where his co-conspirators, including Christian Sanon, Arcangel Pretel Ortiz, Antonio Intriago, Walter Veintemilla, James Solages, and others, discussed the forcible removal of Haitian President Jovenel Moise. During one such meeting in April 2021, Intriago stated, in the presence of Sanon, Ortiz, Veintemilla, Solages, and BERGMANN, in sum and

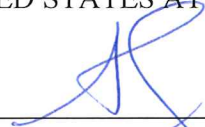
substance, that if the president (referring to President Moise) were to fall into the crowd during demonstrations that the group intended to orchestrate, the co-conspirators would be there to pick up the pieces. BERGMANN understood this statement to be a reference to the possibility that demonstrations could result in violence against President Moise. Because BERGMANN understood that the co-conspirators' efforts to remove President Moise from power could result in violence, he and other co-conspirators, including Sanon and Veintemilla, drafted a presidential acceptance speech for Sanon, in which Sanon stated that "I take no pleasure in violence. But the bible says that those that plow evil . . . and those who sow trouble . . . Reap it." BERGMANN, along with Intriago and Sanon, helped provide ballistic vests to the Colombian mercenaries, which were used in the operation that resulted in the death of President Moise. BERGMANN also provided funding to support the co-conspirators' efforts, including the shipment of the ballistic vests, as well as lodging.

In addition, starting in or around April of 2021, and continuing through on or about June 10, 2021, in the Southern District of Florida and in a place outside the United States, including Haiti and elsewhere, BERGMANN did knowingly conspire to fraudulently export and send ballistic vests from the United States to Haiti. In doing so, BERGMANN knowingly failed to file export information and knowingly submitted false and misleading export information. Specifically, BERGMANN signed the shipper's letter of instruction and commercial invoice for the vests that intentionally misstated their value and intentionally mislabeled them as medical equipment when BERGMANN knew that the shipment contained ballistic vests. Prior to the shipment, which BERGMANN paid for, BERGMANN communicated with Sanon and Intriago


about falsifying the contents of the export shipment, including discussing whether to mislabel the vests as medical equipment or paintball vests.

MARKENZY LAPOINTE  
UNITED STATES ATTORNEY

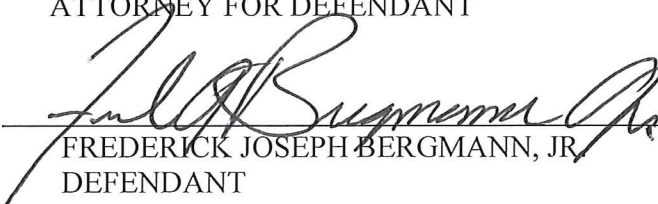
Date: 2/9/2024

By:   
ANDREA GOLDBARG, ESQ.  
ASSISTANT U.S. ATTORNEY

Date: 02/09/2024

By:   
HENRY BELL, ESQ.  
ATTORNEY FOR DEFENDANT

Date: 2/9/24

By:   
FREDERICK JOSEPH BERGMANN, JR.  
DEFENDANT